



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/916,746	07/27/2001	Alexander Gibson Fraser	2001-0384	9135
530	7590	02/14/2005	EXAMINER	
LERNER, DAVID, LITTBENBERG, KRMHOLZ & MENTLIK 600 SOUTH AVENUE WEST WESTFIELD, NJ 07090			CHEN, ALAN S	
			ART UNIT	PAPER NUMBER
			2182	

DATE MAILED: 02/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/916,746	FRASER, ALEXANDER GIBSON
	Examiner	Art Unit
	Alan S Chen	2182

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 27 July 2001.
 2a) This action is FINAL. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-26 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) Claim(s) _____ is/are allowed.
 6) Claim(s) 1-26 is/are rejected.
 7) Claim(s) _____ is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on 27 July 2001 is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
	6) <input type="checkbox"/> Other: _____

DETAILED ACTION

Drawings

1. The drawings are objected to because certain labels in the figures 1-3 have numeric labels without corresponding textual labels. Figures should include textual labels when possible, such as in Fig. 1, element 103-105. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either “Replacement Sheet” or “New Sheet” pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

2. The disclosure is objected to because of the following informalities: paragraph 2, line 5, the word “Collission” is a misspelling of the word “Collision”.

3. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed. Examiner recommends the following: "Electronically readable name tags for network communications".

Appropriate correction is required.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 1-13 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

6. As per claim 1, applicant recites a device in the preamble and a separate network device within the limitations. These two separate entities indefinite for the reason that the specified "device" is in fact a "network device" that is able to communicate with another network device. This is particularly confusing in the dependent claims when the "network device name" is construed to mean the name of the "device" specified in claim 1. Examiner recommends the use of language that clearly separates the device, such as "first" and "second" network device designations. For the purposes of the first Office Action, Examiner assumes there are two separate network devices.

7. Claims 2-13 are rejected due to a rejected base claim.

Claim Rejections - 35 USC § 102

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

9. Claims 1, 2, 6-17 and 21-23 rejected under 35 U.S.C. 102(b) as being anticipated by No.

5,884,322 to Sidhu et al. (hereafter Sidhu).

10. As per claim 1, Sidhu discloses a device (12a) comprising: memory storing a network device name (Fig. 11, non-volatile memory stores the device identification, e.g., both the master_server_identification and the next_server_identification); and an interface (Fig. 11, electrical bus connects machine_1 to machine_3 for request for identity) that may be connected to a network device (machine_3 is another network device) such that the network device name stored in the memory (next_server_identification is loaded into machine_3, server_entity_identification) may be loaded into the network device and utilized by the network device in communications across a network (Fig. 1 shows the network).

11. As per claim 14, Sidhu discloses a method of addressing a network device (Fig. 11, machine_3, gets the server_identification that machine_1 gives it, e.g., shown in Fig. 13) comprising establishing a connection between the network device and a tag storing a network device name (Fig. 11, the connection is established after a request is sent from machine_3 to a server entity identification as shown in Fig. 11); loading the network device name stored in the tag into the network device (Fig. 12, step 422 the server entity identification loaded); and configuring the network device to utilize the network device name in communications across a network (this name/idenfication is utilized across the network, Fig. 1, element 12).

12. As per claim 22, Sidhu discloses a method for use with an addressable network device (Fig. 11, machine_3) comprising: generating a network device name which may be utilized by

the network device in communications across a network (Fig. 11, element 302 and 304, and Column 15, lines 30, on element of the name, e.g., element 304 is generated); storing the network device name in a tag which may be connected to the network device (Fig. 11, element 306, being connected to machine_1) such that the network device name may be loaded into the network device and utilized to configure the network device (Fig. 12, step 422 the server entity identification loaded, though this is machine_3, this is representative of machine_X having loadable next_server_identities).

13. As per claims 2, 17 and 22, Sidhu discloses claims 1, 14 and 22, wherein the network device name comprises a digital representation of an alphanumeric name (Fig. 11, master_server_identification comprises letters and numbers, also Column 10, line 5 specifically states, the identifications can have an alphanumeric format).

14. As per claims 6-9, Sidhu discloses claim 1, wherein the network device associates the network device name with its address (the identification is how the other network entities address the device) where the identifier is unique (no machine has the same identification) and the identifier is obtained from a remote database (Fig. 11, machine_1 is a database, and the next_server_identification is retrieved from this database by machine_3).

15. As per claim 10, Sidhu discloses claim 1 further comprising a display capable of displaying the network address stored in the memory of the device (Fig. 2, element 28).

16. As per claim 11, Sidhu discloses claim 1, wherein the interface further comprises a connector, which can be plugged into an interface on the network device (this is inherent where physically separated computer entities connect to each other via cables that interface a connectors on each respective device).

17. As per claims 12, 13 and 27, Sidhu discloses claims 1 and 14 wherein the network (Fig. 1, element 14) is an Ethernet network (Column 7, lines 3-7) or serial bus (high-speed buses such as USB or FireWire are serial buses).

18. As per claims 15 and 16, Sidhu discloses claim 14 wherein an association between the network name (Fig. 11, master_server_identification) and a network address (Fig. 11, next_server_identification) is stored in a database table (Fig. 11, element 12a).

Claim Rejections - 35 USC § 103

19. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

20. Claims 3-5, 18-20 and 24-26 are rejected under 35 USC 103(a) as being unpatentable over Sidhu in view of Ohara et al. (hereafter Ohara).

Sidhu discloses claims 1, 14 and 22.

Sidhu does not disclose expressly the name of the device being displayed outside of the device or digital pictorial icon representing the device displayed outside of the device.

Ohara discloses a network device where its device is displayed external to the device itself on the CRT, where the device name and a digital pictorial icon is displayed (Column 17, lines 5-15).

Sidhu and Ohara are analogous art because they are from similar problem solving area in labeling and identifying peripherals for the ease of the user.

At the time of the invention it would have been obvious to a person of ordinary skill in the art to externally represent the device as a digital icon as well as display the name externally.

The suggestion/motivation for doing so would have been to allow the user to view the information and potentially modify the information from an input (Fig. 2, element 28 and 30 of Sidhu).

Therefore, it would have been obvious to combine Sidhu with Ohara for the benefit of convenience and control given to the user.

Conclusion

21. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The following patents are cited to further show the state of the art with respect to implementing unique identifiers for network entities:

U.S. Pat. No. US006687707B1 to Shorter et al.

U.S. Pat. No. US006754321B1 to Innes et al.

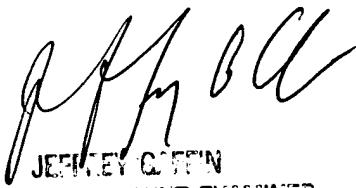
U.S. Pat. No. US006629149B1 to Fraser et al.

22. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alan S Chen whose telephone number is 571-272-4143. The examiner can normally be reached on M-F 8:30am - 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey A Gaffin can be reached on (571) 272-4146. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ASC
02/07/2005



JEFFREY C. GIFFIN
SUPPLYING PATENT EXAMINER
TECHNOLOGY CENTER 2100